

REMARKS

Claims 1-6 are pending in the application.

Claims 1-6 stand rejected.

Claims 1, 3, 4 and 5 have been amended.

Rejection of Claims under 35 U.S.C. §112

First Paragraph Rejections

Claims 1-6 stand rejected under 35 U.S.C. § 112, first paragraph, as failing to comply with the enablement requirement. Applicants traverse this rejection.

Regarding claims 1, 3, and 5, the Final Office Action states that “the Specification is silent regarding “... the limitation ‘without any user input subsequent to the activation of the second button.’” (Final Office Action, p. 4.) However, item 308 of FIG. 3 of the Specification is labeled “Generate Expense Report With Single Button,” and page 10 of the specification states, in part, “According to an embodiment of the invention, client 110 provides user 112 with a single button with which to generate an expense report. When user 112 selects the button, application server 102 collects the expense items associated with user 112 into an expense report.” Thus, in these passages at least (although other such passages could be identified), the Specification does indeed provide support for the limitation of “in response to each activation of the expense report creation button, without any user input subsequent to the activation of the second button: creating a new expense report.”

Further, regarding claims 1, 3, and 5, the Final Office Action states that while the Applicant’s Specification discloses an “expense flag,” the Specification does not disclose an “unreported flag.” (Final Office Action, p. 4.) However, the Applicants make no statement as to

whether the term “unreported” need carry, by itself, any patentable weight. Applicants therefore need not make any statement or take a position that the term, in and of itself, carries or does not carry any patentable weight. At the very least, the term is intended to be an identifier used to distinguish the flag (the “unreported flag”) from other flags. Thus, at the very least, its use can be likened to the use of the terms “first” and “second” when distinguishing between a “first button” and a “second button.”

Thus, for at least the foregoing reasons, Applicants respectfully request that these rejections be withdrawn from claims 1, 3, and 5. Applicants also request that these rejections be withdrawn from claims 2, 4, and 6 since these claims were rejected based on their respective dependency upon claims 1, 3, and 5.

Second Paragraph Rejections

Claims 1-6 stand rejected under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which Applicant regards as the invention. Applicants traverse this rejection.

Regarding claims 1, 3, and 5, the Final Office Action states that “it is not clear to one of ordinary skill what Applicant intends by the term “unreported.” As stated above, Applicants make no statement as to whether the term “unreported” need carry, by itself, any patentable weight, and Applicants need not make any statement or take a position that the term, in and of itself, carries or does not carry any patentable weight. At the very least, the term is intended to be an identifier used to distinguish the flag (the “unreported flag”) from other flags. Thus, at the

very least, its use can be likened to the use of the terms “first” and “second” when distinguishing between a “first button” and a “second button.”

Further, regarding claims 1, 3, and 5, the Final Office States that it is not clear to one of ordinary skill in the art what is meant by the phrase “without any user input subsequent to the activation of the second button” since the “Applicant has not limited the ‘user input.’” (Final Office Action, p. 5.) The Final Office Action indicates that the confusion results from the fact that “turning on a computer, checking e-mail, opening an application or a file, and accessing different features of an application (e.g. “print”, selecting a font) are all examples of a user input, which take place, or can take place while performing a data processing action.” (Final Office Action, p. 5.) Applicants argue that it should be obvious that the intent is to refer exclusively to user input relevant to expense report creation. However, to further clarify the claim language in this regard, claims 1 and 5 have been amended to read “without any user input to the process of creating an expense report subsequent to the activation of the second button.” Likewise, claim 3 has been amended to read “without any user input to the process of creating an expense report subsequent to the activation of the expense report creation button.”

Finally, claim 3 has been rejected since there is insufficient antecedent basis for the term “the second button.” This claim has been amended such that the term “second” has been replaced with “expense report creation.” Applicants therefore respectfully submit that the posited infirmity is now cure, and the rejection moot.

Thus, for at least these reasons, Applicants respectfully request that these rejections be withdrawn from claims 1, 3, and 5. Applicants also request that these rejections be withdrawn from claims 2, 4, and 6 since these claims were rejected based upon their respective dependency upon claims 1, 3, and 5.

Rejection of Claims under 35 U.S.C. §103

Claims 1-6 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Vance, et al., U.S. Patent No. 6,442,526 (“Vance”). Applicants traverse this rejection.

Claims 1, 3, and 5 require, in response to the activation of a first button, the creation of a new activity item and the establishment of a user-selected activity type, among other things. The Final Office Action argues that Vance teaches these elements in Figures 16B-C. (Final Office Action, p. 6.) However, neither of these figures teaches the establishment of a “user-selected activity type.” These figures show Data Range window 458 and Air Item Detail window 462, respectively. (Vance 12:61-67.) In the Data Range window a “traveler enters or the corporate database autofills date, project and purpose of the trip/expense parameters.” (Vance 12:63-65.) After these are entered, the traveler “energizes the Okay button to view the Air Item Detail window 462 from which the traveler 86 enters or the corporate database 18 autofills charge parameters for the selected city pair 464. The traveler may also enter an explanation of expenses in the Explanation window 466.” (Vance 12:65-13:3.) Applicants cannot discern the idea of an “activity type” in any of the items entered on either of these windows. These are simply items that are intended to factually describe a particular occasion of travel. Further, as far as applicants can discern, none of the items is “user-selected.” The items are all facts about the occasion of travel: dates of travel, reason(s) for the travel, and costs (“charge parameters”) of travel. None of these facts are selected by the user at the time the user is entering them on windows 458 and 462. These windows simply permit the user to report facts already determined.

Claims 1, 3, and 5 require, in response to the activation of a first button, “consulting a predetermined mapping from activity types to expense types to automatically establish an

expense type for the created expense item,” among other things. The Final Office Action argues that Vance teaches this element in Figures 16D and 16K. (Final Office Action, p. 6.) However, while it is not clear what features of Vance the Final Office Action intends to represent the “activity types,” “expense types,” and “expense items” of these claims, it is clear that neither of these figures teaches the establishment of a “pre-determined mapping.” Figure 16D shows the Car Item Detail window 470 and figure 16K shows the Check Policy Compliance window 496. (Vance 13:5 and Vance 13:29.) Vance 13:4-8 states that “[t]he traveler 86...energizes the okay button 468 to view the Car Item Detail window 470 from which the traveler 86 enters or the corporate database 18 autofills car rental and car receipt parameters,” and that on the Car Item Detail window “[t]he corporate database 18 also provides corporate policy data 472 to the traveler.” Applicants can find no teaching of a “pre-determined mapping” in this citation. The entering of car rental and receipt parameters fails to teach a “pre-determined mapping.” Vance, at best, teaches nothing more than the entering of such data, and a mapping is not required for the entering of data. Likewise, the providing of corporate policy data fails to teach a “pre-determined mapping.” Data may be provided in many ways that don’t require a pre-determined mapping. For example, the window may be designed to simply display the contents of a given file. Concerning the Check Policy Compliance window 496, Vance 13: 28-32 states that “[t]he traveler 86 views the Check Policy Compliance window 496 while the system does a policy check. The traveler may request explanations of policy violations by energizing the View Exceptions button 498.” Since the system may perform a policy check in a variety of ways which don’t involve a pre-determined mapping, the Applicants reject the idea that this citation teaches a pre-determined mapping. For example, the system may perform a policy check by assessing whether a certain number of some list of conditions has been met.

Applicants note that a major distinction between Vance and the instant invention is that Vance generates expense reports for travel activities alone while the instant invention allows the generation of reports for multiple types of activities. This explains why claims 1, 3, and 5 require two distinct buttons. One button allows users to define the activity type of interest, while the other button results in the creation of the expense report. These actions must both be performed in the instant invention, whereas the invention described in Vance does not require the user to define the activity type. The invention in Vance concerns only travel activities. This explains why Vance teaches the need of only a single button (item 450 or 452 of Figure 16A) to launch the process that involves all of Figures 16B-L. (Vance 12: 61-63) It also explains why Vance fails to teach a “user-selected activity type.”

Applicants therefore respectfully submit that no need exists in Vance for the user to select an activity type. A single type, travel, is the only type disclosed in Vance. Finally, Applicants respectfully submit that this explains why Vance fails to teach “consulting a predetermined mapping from activity types to expense types to automatically establish an expense type for the created expense item.” Given that Vance deals only with travel activities, there is no reason not to build the expense types associated with the activity of travel into the system of Vance. In other words, there is no need for the invention in Vance to refer to a mapping to determine the relationship between the activity of travel and the cost of airline tickets. This relationship can just be built into any system operating according to the invention of Vance.

Thus, for at least the foregoing reasons, Applicants respectfully request that this rejection be withdrawn from claims 1-6 (claims 1, 3, and 5 and their respective dependent claims).

Automation of Known Processes

The Advisory Action dated June 15, 2007 states that

The newly added language of “without any user input to the process of creating an expense report” requires further consideration. Initially, however, the Examiner would like to point out that automation of known process that does not produce a new, unobvious and unexpected result is not patentably distinct from the prior art process(In re Venner, 120 USPQ 192 (CCPA 1958), In re Smith, 73 USPQ 394).

See Advisory Action, p. 2. Therefore, the Applicants now show why the rule that the automation of a known process that fails to produce a new, unobvious and unexpected result is not patentably distinct from the prior art does not apply to the Applicants’ invention.

This rule does not apply to the Applicants’ invention for at least the reason that it is incorrect to characterize the Applicants’ invention as merely the automation of a known process. The element that refers to a lack of user input is merely one element of many and it refers to the lack of user input at a very specific point in the process, not to a wholesale lack of user input, as would be expected in an invention directed at simple automation of a known process. A more complete reading of the element recites “without any user input to the process of creating an expense report *subsequent to the activation of the second button.*” In addition, remaining elements of the claims make it clear that user input is required as part of the process. For example, claims 1, 3, and 5 recite “a user-selected activity type.” Thus, it clearly cannot be the case that the invention is characterized as the mere automation of a known process.

Further, this rule does not apply to the Applicants’ invention at least for the reasons that (1) the invention is not a known process, and (2) the invention produces a new, unobvious and unexpected result. The fact that there is no standing rejection based on § 102 is evidence of the novelty of the process and that the process is not known. To show that the process is nothing

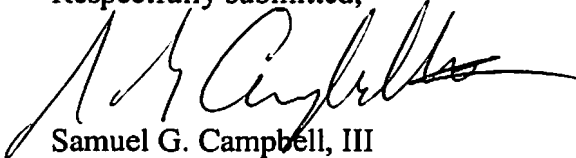
more than "the automation of a known process," it must at least be shown that a single reference teaches all elements of the process but the element of automation, or, of course, the Examiner must take official notice that all the elements but that of automation were known to one of skill in the art at the time of invention. The fact that the invention is directed towards, among other things, reducing human error (*See*, for example, page 2 of the Specification of the Original Application) shows that the invention is not correctly characterized as an attempt at simple automation but that the invention produces a new, unobvious and unexpected result.

CONCLUSION

In view of the amendments and remarks set forth herein, the application is believed to be in condition for allowance and a notice to that effect is solicited. Nonetheless, should any issues remain that might be subject to resolution through a telephonic interview, the Examiner is invited to telephone the undersigned at 512-439-5084.

If any extensions of time under 37 C.F.R. § 1.136(a) are required in order for this submission to be considered timely, Applicant hereby petitions for such extensions. Applicant also hereby authorizes that any fees due for such extensions or any other fee associated with this submission, as specified in 37 C.F.R. § 1.16 or § 1.17, be charged to deposit account 502306.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "S. G. Campbell, III", with a stylized flourish at the end.

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